

that he will furnish such weekly reports showing correct number of oysters purchased by him during the preceding week. The said oaths may be made before any general measurer and inspector or special measurer, each of whom is hereby authorized and directed to administer such oaths without charge, or before any notary public or justice of the peace.

1904, art. 72, sec. 73. 1894, ch. 380, sec. 62. 1898, ch. 449. 1900, ch. 380.
1906, ch. 188, sec. 73. 1916, ch. 702, sec. 75.

75. The general measurers and inspectors for Baltimore City shall receive a salary of one hundred dollars per month each, and all other general measurers and inspectors provided for by Section 69 shall receive a salary of fifty dollars per month each, the said salaries to be paid only during the oyster season and for those months in which said general measurers and inspectors are actually engaged in the performance of the duties of their respective offices. Any person who shall violate any of the provisions of section 69, 70, 72 to 75, inclusive; of this Article, or who shall interfere with the general measurers or inspectors of oysters or the special inspectors in the discharge of their duties, shall be deemed guilty of a misdemeanor, and, upon conviction before any justice of the peace or court of competent jurisdiction, shall pay a fine of fifty dollars and costs, one-half of said fine to the informer, unless he be an officer under this Article, and the other half to the Comptroller, to the credit of the oyster fund. In default of payment of fine and costs, the party convicted shall be confined in jail for not more than twenty days. Each and every inspector shall report monthly to the Conservation Commission, or oftener, if required by them, concerning all the oysters which may be disposed of within his inspection district, and such reports shall be a full and complete account of all sales of oysters that have been made within such districts. The Commission may at any time for good cause shown suspend or remove any inspector from office.*

Oyster Culture.

85.

Intent and policy of the act of 1906, chapter 711. The act of 1914, chapter 265, is not in conflict with article 1, section 10 of the Federal Constitution, or article 3, section 40 of the Maryland Constitution. A leasehold interest acquired from the state is subject to condemnation for public use. Even if the act of 1914 directed the ascertainment of natural beds and bars by a different standard from that required by the act of 1906, the former act did not violate the contractual rights of a lessee under the latter act. The taking of oysters by the public under license from the state, from lands and waters owned by it, is a public use, although such taking is limited to the citizens of the county within whose territory the fishery is located. A plea of *res adjudicata* in a suit under the act of 1914, not sustained. *Cox v. Revelle*, 125 Md. 579. And see *Shellfish Commissioners v. Mansfield*, 125 Md. 633.

See notes to article 72, section 96B.

*Section 2 of the act of 1916, chapter 702, provides for the repeal of all acts or parts of acts inconsistent with said act of 1916.